

Exhibit 4

Judgment of Dismissal

1 ROBERT J. GANDY (State Bar No. 225405)
2 DAVID M. LIU (State Bar No. 216311)
3 SEVERSON & WERSON, APC
4 The Atrium
5 19100 Von Karman Avenue, Suite 700
6 Irvine, California 92612
7 Telephone: (949) 442-7110
8 Facsimile: (949) 442-7118

9 JOHN B. SULLIVAN (State Bar No. 96742)
10 SEVERSON & WERSON, APC
11 One Embarcadero Center, Suite 2600
12 San Francisco, California 94111
13 Telephone: (415) 398-3344
14 Facsimile: (415) 956-0439

15 Attorneys for Defendants
16 GMAC MORTGAGE, LLC; EXECUTIVE TRUSTEE SERVICES, LLC dba
17 ETS SERVICES, LLC; MORTGAGE ELECTRONIC REGISTRATION
18 SYSTEMS, INC.; HSBC BANK USA, NATIONAL ASSOCIATION; and
19 DEUTSCHE BANK AG (erroneously sued as "Deutsch Bank AG")

20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

21 **COUNTY OF LOS ANGELES — NORTH CENTRAL DISTRICT (BURBANK)**

22 JACQUELINE O. WIELAND, as Trustee of
23 THE MARSHELL O. CULTON REVOCABLE
24 LIVING TRUST DATED APRIL 28, 2005, and
25 as Successor In Interest of Marshall O. Culton,

26 Plaintiff,

27 vs.

28 GMAC MORTGAGE, LLC, a California limited
liability company;
EXECUTIVE TRUSTEE SERVICES, LLC dba
ETS SERVICES LLC, a Delaware limited
liability corporation;
MORTGAGEIT, INC., a New York corporation;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., a Delaware corporation;
HSBC BANK USA, NATIONAL
ASSOCIATION, A National corporation;
DEUTSCH BANK AG, a German corporation;
and DOES 3 through 50, inclusive,

Defendants.

Case No. GC048550
The Hon. Donna Fields Goldstein
Dept. NCBB

**NOTICE OF ENTRY OF JUDGMENT
OF DISMISSAL WITH PREJUDICE
FOR DEFENDANTS MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., HSBC BANK USA
NATIONAL ASSOCIATION; AND
DEUTSCHE BANK AG**

TAC Filed: December 3, 2012
SAC Filed: July 5, 2012
FAC Filed: March 7, 2012
Complaint Filed: December 7, 2011

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** on February 13, 2013 at 8:30 a.m., in Department NCB "B" of
3 the above-entitled Court, the Honorable Donna Fields Goldstein presiding, the Court sustained,
4 without leave to amend as to all causes of action, the demurrer of defendants Mortgage Electronic
5 Registration Systems, Inc.; HSBC Bank USA, National Association; and Deutsche Bank AG to
6 plaintiff's third amended complaint.

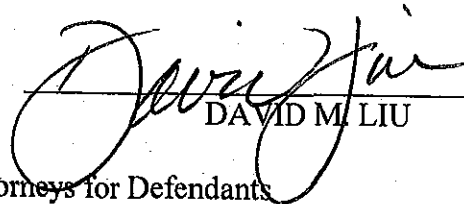
7 On March 7, 2013 the Court executed and entered a Judgment of Dismissal with Prejudice
8 in favor of Defendant Mortgage Electronic Registration Systems, Inc.; HSBC Bank USA, National
9 Association; and Deutsche Bank AG and against Plaintiff Jacqueline O. Wieland, as Trustee of
10 The Marshall O. Culton Revocable Living Trust Dated April 28, 2005, and as Successor In
11 Interest of Marshall O. Culton.

12 A true and correct copy of the Judgment of Dismissal with Prejudice is attached hereto as
13 Exhibit A.

14
15 DATED: March 11, 2013

SEVERSON & WERSON
A Professional Corporation

16
17 By:


DAVID M. LIU

18
19 Attorneys for Defendants
20 GMAC MORTGAGE, LLC; EXECUTIVE TRUSTEE
21 SERVICES, LLC dba ETS SERVICES, LLC;
22 MORTGAGE ELECTRONIC REGISTRATION
23 SYSTEMS, INC.; HSBC BANK USA, NATIONAL
24 ASSOCIATION; and DEUTSCHE BANK AG
25 (erroneously sued as "Deutsch Bank AG")
26
27
28

EXHIBIT “A”

ORIGINAL FILED

MAR 07 2013

LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES — NORTH CENTRAL DISTRICT, BURBANK

JACQUELINE O. WIELAND, as Trustee of
THE MARSHELL O. CULTON REVOCABLE
LIVING TRUST DATED APRIL 28, 2005,

Plaintiff,

vs.

GMAC MORTGAGE, LLC, a California limited
liability company;
EXECUTIVE TRUSTEE SERVICES, LLC dba
ETS SERVICES LLC, a Delaware limited
liability corporation;
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC., a Delaware corporation; and
DOES 1 through 50, inclusive,

Defendants.

Case No. GC048550
The Hon. Donna Fields Goldstein
Dept. NCB

**[PROPOSED] JUDGMENT OF
DISMISSAL WITH PREJUDICE FOR
DEFENDANTS MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., HSBC BANK USA
NATIONAL ASSOCIATION; AND
DEUTSCHE BANK AG**

TAC Filed: December 3, 2012
SAC Filed: July 5, 2012
FAC Filed: March 7, 2012
Complaint Filed: December 7, 2011

PROPOSED JUDGMENT

On February 13, 2013 at 8:30 a.m., in Department NCB "B" of the above-entitled Court, the Honorable Donna Fields Goldstein presiding, the Court sustained, without leave to amend as to all causes of action, the demurrer of defendants Mortgage Electronic Registration Systems, Inc.; HSBC Bank USA, National Association; and Deutsche Bank AG (collectively "Defendants") to plaintiff's third amended complaint.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that judgment in the above-captioned matter is entered in favor of Defendants and against plaintiff. This action is dismissed with prejudice as to Defendants and they may recover their costs against plaintiff.

IT IS SO ORDERED.

MAR 07 2013

DATED: ~~February~~, 2013

By:


DONNA FIELDS GOLDSTEIN

The Honorable Donna Fields Goldstein
Judge, Los Angeles County Superior Court

Respectfully submitted by,

ROBERT J. GANDY (State Bar No. 225405)
DAVID M. LIU (State Bar No. 216311)
SEVERSON & WERSON
A Professional Corporation
The Atrium
19100 Von Karman Avenue, Suite 700
Irvine, California 92612
Telephone: (949) 442-7110
Facsimile: (949) 442-7118

JOHN B. SULLIVAN (State Bar No. 96742)
SEVERSON & WERSON
A Professional Corporation
One Embarcadero Center, Suite 2600
San Francisco, California 94111
Telephone: (415) 398-3344
Facsimile: (415) 956-0439

Attorneys for Defendants
GMAC MORTGAGE, LLC; EXECUTIVE TRUSTEE SERVICES, LLC dba ETS SERVICES, LLC; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; HSBC BANK USA, NATIONAL ASSOCIATION; and DEUTSCHE BANK AG (erroneously sued as "Deutch Bank AG")

PROOF OF SERVICE

Wieland v. GMAC Mortgage, LLC
GC048550

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is The Atrium, 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

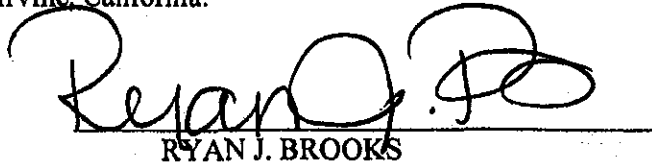
On February 13, 2013, I served true copies of the following document(s): **[PROPOSED] JUDGMENT OF DISMISSAL WITH PREJUDICE FOR DEFENDANTS MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., HSBC BANK USA NATIONAL ASSOCIATION; AND DEUTSCHE BANK AG** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

- ☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- ☐ **BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing via Certified Mail, Return Receipt Requested, following our ordinary business practices. I am readily familiar with Severson & Werson's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- ☐ **BY FEDEX:** I enclosed said document(s) in an envelope or package provided by FedEx and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of FedEx or delivered such document(s) to a courier or driver authorized by FedEx to receive documents.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 13, 2013, at Irvine, California.


RYAN J. BROOKS

SERVICE LIST
Wieland v. GMAC Mortgage, LLC
GC048550

Mark A. Nialis, Esq.
Rondine E. Macadaeg
WILDISH & NIALIS
500 North State College Blvd., Ste. 1200
Orange, CA 92868

Attorneys for Plaintiff JACQUELINE O.
WIELAND, as Executor of the Estate of
Marshall O. Culton

Telephone: 714.634.8001
Facsimile: 714.634.3869
Email: mnialis@wildishandnialis.com

Erica Yen
REED SMITH LLP
355 South Grand Ave, Suite 2900
Los Angeles, CA 90071

Attorneys for Defendant MORTGAGEIT, INC.

Telephone: 213.457.8000
Facsimile: 213.457.8080

1 **PROOF OF SERVICE**
2 **Wieland v. GMAC Mortgage, LLC**
3 **GC048550**

4 At the time of service, I was over 18 years of age and not a party to this action. I am
5 employed in the County of Orange, State of California. My business address is The Atrium,
6 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

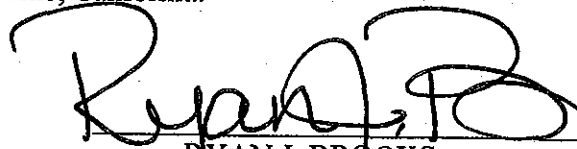
7 On March 11, 2013, I served true copies of the following document(s): **NOTICE OF**
8 **ENTRY OF JUDGMENT OF DISMISSAL WITH PREJUDICE FOR DEFENDANTS**
9 **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., HSBC BANK USA**
10 **NATIONAL ASSOCIATION; AND DEUTSCHE BANK AG** on the interested parties in this
11 action as follows:

12 **SEE ATTACHED SERVICE LIST**

- 13 ☒ **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the
14 persons at the addresses listed in the Service List and placed the envelope for collection
15 and mailing, following our ordinary business practices. I am readily familiar with
16 Severson & Werson's practice for collecting and processing correspondence for mailing.
17 On the same day that the correspondence is placed for collection and mailing, it is
18 deposited in the ordinary course of business with the United States Postal Service, in a
19 sealed envelope with postage fully prepaid.
- 20 ☐ **BY FEDEX OVERNIGHT:** I enclosed said document(s) in an envelope or package
21 provided by FedEx and addressed to the persons at the addresses listed in the Service List.
22 I placed the envelope or package for collection and overnight delivery at an office or a
23 regularly utilized drop box of FedEx or delivered such document(s) to a courier or driver
24 authorized by FedEx to receive documents.

25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct.

27 Executed on March 11, 2013, at Irvine, California.

28 
RYAN J. BROOKS

SERVICE LIST
Wieland v. GMAC Mortgage, LLC
GC048550

Mark A. Nialis, Esq.
Rondine E. Macadaeg
WILDISH & NIALIS
500 North State College Blvd., Ste. 1200
Orange, CA 92868

Attorneys for Plaintiff JACQUELINE O.
WIELAND, as Executor of the Estate of
Marshall O. Culton

Telephone: 714.634.8001
Facsimile: 714.634.3869
Email: mnialis@wildishandnialis.com

Erica Yen
REED SMITH LLP
355 South Grand Ave, Suite 2900
Los Angeles, CA 90071

Attorneys for Defendant MORTGAGEIT, INC.

Telephone: 213.457.8000
Facsimile: 213.457.8080